

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

CONVERGEN ENERGY LLC, et al.,

Plaintiffs,

v.

CASE NO.: 1:20-CV-03746 (LJL)

STEVEN J. BROOKS, et al.,

Defendants.

**ELMERINA BROOKS' NOTICE OF MOTION AND MOTION TO QUASH SUBPOENA
AND MOTION FOR PROTECTIVE ORDER**

PLEASE TAKE NOTICE THAT, upon the memorandum of law in support dated July 13, 2020, third-party Elmerina Brooks ("Ms. Brooks") will move this Court, the Honorable Lewis J. Liman, presiding, at the federal courthouse located at 500 Pearl Street, New York, NY 10007, or through a telephonic or Zoom hearing to reflect the current worldwide pandemic and the Court's practices, on a date and in a manner to be set by the Court, for an Order pursuant to Federal Rules of Civil Procedure 45(d)(3) and 26(c) quashing Plaintiffs' third-subpoena subpoenas and entering a Protective Order barring Plaintiffs from taking discovery from Ms. Brooks during the expedited discovery phase of this action.

Counsel below attempted on July 7 and 12, 2020, to meet and confer with Plaintiffs in good faith in an effort to resolve this dispute without court action. This motion is supported by the accompanying Declaration of Ryan M. Billings, and exhibits thereto.

Dated this 13th day of July, 2020

By: s/ Ryan M. Billings
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Attorneys for Elmerina Brooks with respect
to the third-party subpoena only